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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/870,899      | 05/31/2001  | Mark E. Wilson       | 834460-68474        | 1013             |

23643 7590 05/02/2005

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11 SOUTH MERIDIAN  
INDIANAPOLIS, IN 46204

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| EXAMINER |
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JIANG, SHAOJIA A

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| ART UNIT | PAPER NUMBER |
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1617

DATE MAILED: 05/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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| EXAMINER |
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Commissioner for Patents

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The reply brief filed February 4, 2004 has been entered and considered. In particular, the examiner notes Appellants' remarks that:

"In the Examiner's Answer, the Examiner indicates that the rejections are reiterated from "the prior office action mailed on November 19, 2003." See pages 4 and 7 of the Examiner's Answer. Appellants are not aware of an office action mailed on November 19, 2003 in the above-captioned application. Appellants assume that the Examiner is referring to the final office action mailed on February 26, 2004....".

The examiner intended to refer to the previous Office Action which is the Final Office Action mailed February 26, 2004 in the Examiner's Answer. The typographic error or oversight for this is regretted.

*Information Disclosure Statement (IDS)*


Applicants' IDS submitted December 10, 2004 under CFR 1.97 and 1.98 has **not** been considered since it has been filed after the Appeal Brief filed August 30, 2004, unless the IDS consists of the arguments in a previously filed appeal brief or reply brief, or may simply consist of a statement that incorporates by reference the arguments in a previously filed appeal brief or reply brief. In addition, a previously filed amendment after final (whether or not entered) may satisfy this submission requirement. See MPEP 706.07(h)[R-2].

The application has been forwarded to the Board of Patent Appeals and Interferences for decision on the appeal.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Jiang, whose telephone number is (571)272-0627. The examiner can normally be reached on Monday-Friday from 9:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sreenivasan Padmanabhan, Ph.D., can be reached on (571)272-0629. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



S. Anna Jiang, Ph.D.  
Primary Examiner  
Art Unit 1617  
April 26, 2005